

HOUSE BILL 802

By Dennis

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 10, Part 2 and Title 55, Chapter 8, relative to certain traffic citations based upon surveillance cameras.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-8-198, is amended by deleting subsections (a) and (b) and substituting instead the following:

(a) A traffic citation that is based solely upon evidence obtained from a traffic enforcement camera that has been installed to enforce or monitor traffic violations shall be considered a criminal offense and shall be prosecuted the same as other traffic violations in which the evidence is obtained by the observation of law enforcement officer, radar, or otherwise.

(b)

(1) A law enforcement officer in the agency with jurisdiction over the violation who is POST-certified shall review video evidence from a traffic enforcement camera and shall make a determination as to whether a violation has occurred. If a determination is made that a violation has occurred, a traffic citation, as described in § 55-10-207, shall be served upon the offender in the same manner as a criminal summons.

(2) Section 55-10-207 shall govern the judicial procedure to be used when a citation is issued pursuant to this section and the rights of the person to whom it is issued.

SECTION 2. Tennessee Code Annotated, Section 55-8-198, is amended by deleting subsection (e) in its entirety and redesignating accordingly.

SECTION 3. This act shall take effect July 1, 2011, the public welfare requiring it, and shall apply to any violation occurring on or after such date.